

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: EP/47/21/HH

LOCATION: West House
South Strand
East Preston
BN16 1PN

PROPOSAL: Erection of second floor addition, part single storey side, part two storey front, side and rear extensions and alterations to fenestration/openings

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal relates to remodelling and extensions to the existing 2 storey dwelling to create an additional second floor (which is 7.88m by 7.4m in area) and alterations to the appearance of the dwelling from a pitched roof to a flat roof dwelling with first floor extensions to the east side and front and rear. The proposal also provides a rear second floor roof terrace. The height of the dwelling would be increased from 6.69m to 8.3m.
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RELEVANT SITE HISTORY

EP/67/72	Outline Application For Division Of The Dolphins Into Two Units With Two Building Plots Onto South Strand	Approve 07-07-72
EP/95/73	One House	Approve 07-09-73

REPRESENTATIONS

East Preston Parish Council - Objection

- The proposed property will be overbearing on neighbouring properties and street scene.
- The height of the proposed property will dominate the plot.
- The proposal is contrary to Policy 1, Paragraph 4.10 of the East Preston Neighbourhood Plan which states, It is important to avoid new buildings which appear overbearing by reason of their size, and alterations which harm the character of a road.
- The proposed materials do not harmonise in both colour and texture with the materials used in adjoining buildings conflicting with Policy 1 of the Neighbourhood Plan. Rockpanel cladding is not visible on any building in the vicinity of West House.
- The scale, height, materials and mass of the proposed property will have an unacceptable impact upon

the character and appearance of the immediate locality and residential amenities of the occupiers of neighbouring properties. This would be in conflict with Arun Local Plan policies D DM1 and D DM4 and Policies 1 and 2 of the Neighbourhood Plan.

- The proposed building will reduce the privacy of the back gardens of several neighbouring properties.
- The proposal does not reflect the characteristics of the site and local area . (Arun Local Plan, Policy D SP1).
- The proposal will transform the look of this property from a compact house into something out-of-keeping with every other property in the road, not responding to and complementing the existing character and appearance of the building and the wider townscape in terms of scale, massing, materials, openings and roof form (Arun Design Guide, Part M). Alteration of the basic form of the roof will also be contrary to Policy 2 of the East Preston Neighbourhood Plan.
- The proposal is bulky and heavyweight and will not sit comfortably with the existing properties in South Strand. The scale of development is not in keeping with the overall character of locality (Arun Local Plan, Policy D DM1) and it does not meet Part M of the Arun Design Guide. The scale, massing and positioning of extensions should be visually subservient to the existing property in order to ensure that the latter remains the dominant form. An upwards extension cannot be visually subservient to the existing property, which basically will no longer exist, nor can it be below the roof ridge line of the existing property, therefore contrary to the Arun Design Guide.
- This property is within Character Area One of the East Preston Neighbourhood Plan and therefore falls within the scope of Policy 2 of that document. This proposal conflicts with that Policy as this proposal will not protect the view from the beach .

13 Objections

- The proposed style and height of the development is not in keeping with the current style and type of houses on the Angmering on Sea Estate. The estate is a mixture of dwelling types, ages, styles & consists of mainly two storey houses/cottages and bungalows, mostly traditional in appearance. Not only will this proposed development disturb the street scene of South Strand but its height will make it the tallest building in an area of South Strand where the more traditional houses currently sit.
- Will cause immediate neighbours an issue with overlooking.
- The flat roof style proposed is not in keeping with current properties on the estate and will set a precedent.
- The plot is not that large an area and to propose such a huge and overbearing development on it, is an over-development of the space available.
- The proposed 3rd floor addition is not acceptable. It will overlooked and encroach on neighbour's privacy.
- The proposed plan is not in keeping with the rest of South Strand .
- Concerns regarding adjacent property Whitecroft regarding loss of access right of way to back garden, between the two garages; and the east facing window on the proposed second floor.
- Second floor extension is not in keeping with the majority of residences along South Strand.
- East facing window from the second floor sitting room window will look directly onto our garden.
- The latest block plan showing the proposed areas of development appears to be incorrect. The proposed first floor area shown hatched in blue should also show the additional floor space extending the full footprint of the building towards the southern boundary. This area as shown on the existing west elevation is currently a roof area that pitches away from the properties at the southern boundary approximately 5 meters away, even less at the western boundary. This roof was pitched like this to accommodate the stair headroom from ground to first floor, is not currently first floor habitable floorspace and was designed to not compromise the properties at the rear. The proposed red hatching appears to be set back towards the northern boundary and not as large as is shown on the floor plans. It also does not show the large, proposed balcony that is also shown on the floor plans and extends the full footprint of the building at the rear. This proposed additional third floor when viewed from the beach will sit above all surrounding properties.
- This proposal for a flat roofed, three storey house on the base of a modest two storey house would

produce a building that was not only unattractive, but totally out of character with its surroundings.

- The design, materials and height of the proposed building would contravene both policies D DM1 and DM4 of the Arun Local Plan, because they do not reflect the character of the buildings in the surrounding area.

- The enlarged and heightened house would also overlook its neighbours to the south and west.

The proposal would contravene Policy 1 of the East Preston Neighbourhood Plan, because the scale,

- massing, height and materials would not reflect the architectural and historic character and scale of the surrounding buildings. It would contravene Policy 2 of the Neighbourhood Plan because its scale, massing and height would harm the street scene and the view from the beach.

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CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

East Preston Neighbourhood Plan 2014 Policy 1	Housing - General Principles
East Preston Neighbourhood Plan 2014 Policy 2	Design in Character Area One

PLANNING POLICY GUIDANCE:

NPPG	National Planning Practice Guidance
NPPF	National Planning Policy Framework

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1 and D DM4 of the Arun Local Plan. East Preston has a made Neighbourhood Plan with Policy1 and Policy 2 of relevance to the application. The proposal will also be assessed against Part M of Arun Design Guide.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy 1 of the East Preston Neighbourhood Development Plan sets out general principles for development within the Parish. Part (i) relates to the scale, density, massing, height, landscape design, layout and materials of development proposals, and how proposals must reflect and enhance the

established character of the area.

Policy 2 of the East Preston Neighbourhood Development Plan sets out the criteria for development within Character Area One. These ensure that proposals preserve the character of the street scene, and resist any increases in density that would alter this character. It also seeks to protect the view from the beach.

DESIGN AND VISUAL AMENITY

The proposal includes first floor extensions and the addition of a second and complete remodelling of the dwelling therefore, the extensions do not appear subservient to the original building and would radically alter its appearance in conflict with policy D DM4 (a) and (b) of Arun Local Plan. The development conflicts with the design guide Part M and alterations of the basic form of the roof will also be contrary to Policy 2 of the East Preston Neighbourhood Plan.

The Guide recognises that household extensions can play a valuable role in upgrading housing stock to meet occupiers' changing requirements as is the case with this proposal. However the proposal would have a detrimental impact on the wellbeing of surrounding residents and on the appearance of the street scene. Extensions should respond to and complement the existing character and appearance of the building and wider townscape in terms of scale, massing, materials, openings and roof form. The dwelling is located close to the rear boundary and the proposal results in a much larger and obtrusive form of development which appears cramped in relation to the side and rear boundaries and would appear overly dominant and out of keeping in relation to the 2 storey dwelling to the east. The contrasting materials may not necessarily be an issue given the range of building materials in the locality but the design of the extension is such that it is not fully integrated into the existing dwelling and the dwelling appears at odds in the street scene. South Strand comprises mainly 2 storey dwellings in large plots with space to boundaries. The existing dwelling has a relatively large plot, but the dwelling is poorly sited to the rear of the plot and close to the adjoining dwelling to the east which provides little scope for a first floor side extension and rear extension which don't compromise the spatial pattern of the existing development.

The scale, massing and positioning of extensions should be visually subservient to the existing property in order to ensure that the latter remains the dominant form. The Guide advises that with extensions of over 50% of existing floorspace are unlikely to be considered acceptable and positioning extensions below the roof ridge line of the existing property will help to create visual subservience. This proposal does not adhere to this advice. The Guide requires extensions to respond to the distinctive characteristics of the building and surrounding area, by taking a simple and unobtrusive form which does not overpower the existing or neighbouring properties, integrating roof form with the existing dwelling, generally constructed at the same angle of pitch. This proposal completely alters the roof form and shape contrary to this guidance.

The proposal also does not follow the advice in relation to responding to existing elevations through the size and positioning of doors and windows. This proposal adds a rear balcony and provides additional windows in the rear and side elevations.

The two storey side and rear extension and second floor extension would have an unacceptable impact on the appearance of the dwelling and street scene. The development does not accord with D DM1 and D DM4 of the Arun Local Plan.

The proposal is contrary to Policy 1 of the East Preston Neighbourhood Plan which states, It is important to avoid new buildings which appear overbearing by reason of their size, and alterations which harm the character of a road. However, it is not considered to alter the view from the beach. The dwelling is set back from the beach behind other properties and the extension would only be glimpsed slightly. The

proposed extension would not conflict with Policy 2 of East Preston Neighbourhood Plan.

RESIDENTIAL AMENITY

The nearest neighbouring property is to the east (Whitcroft) and the first floor extension is 2m from the boundary with east facing windows serving bathrooms which would be obscured; and could be conditioned, the second floor addition is 7.5m from the eastern boundary and the east facing window could be high level to prevent overlooking. It is therefore considered that in respect of residential the proposal is acceptable in terms of any overlooking impacts on the dwelling to the east. However this neighbouring dwelling has a first floor side facing secondary window which would lose some light and the necessary tests for overshadowing by following the '45-degree, 60-degree and 25-degree rules' have not been demonstrated

The existing dwelling has a gap to the western side boundary of approx 1m, but the fence is 0.5m inside the boundary line. The rear elevation does not sit parallel with the rear boundary. In the closest position it is 5m to the boundary and the middle section before the dwelling staggers forward it is 5.9m and the distance to the rear boundary from the easterly corner of the rear elevation is 6.6m. The neighbouring properties to the south (The Dolphins east and west) are predominantly south facing with access driveway to the north at the applicant's boundary, but are located in close proximity to the rear boundary given the unusually short rear garden depth of the application property. The proposal seeks to cast a view over the southerly neighbours and maximise sunlight and passive solar energy gain into West House and will cause overlooking the northern garden area of The Dolphins. Whilst the second floor addition has been positioned away from the southern boundary to reduce overshadowing issues the proposal will result in a loss of privacy to the gardens of adjacent dwellings. It is acknowledged that some overlooking of garden areas already occurs from the balcony but the amount of overlooking would increase from rear and side facing windows and the second floor balcony. Part M of the Design Guide Extensions requires the amenity of the original and neighbouring properties in terms of privacy and overshadowing, to be preserved and informed by technical assessments carried out by qualified consultants where necessary. This proposal does not preserve the privacy of neighbouring properties and no evidence of assessment in respect of overshadowing or overbearing impacts have been submitted with the proposal.

Therefore, it has not been satisfactorily demonstrated that no harm to the residential amenity in terms of loss of light or privacy would result. The windows in the first floor rear and second floor rear and side elevation and the second floor balcony would afford views into habitable areas of the adjoining dwellings and private amenity space. The development is considered to harm neighbouring amenity by way of overbearing and overlooking in conflict with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The development is deemed to conflict with relevant development plan policies and as such is recommended for refusal for the following reasons.

HUMAN RIGHTS ACT

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (Right to respect private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their

home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

RECOMMENDATION

REFUSE

- 1 The proposed development, by virtue of its design, bulk and scale is considered to have a significantly harmful impact upon both the host dwelling and character and appearance of the locality in conflict with policies D SP1, D DM1 (1) and (15), D DM4 (a), (b), & (e) of the Arun Local Plan, Policy 1 of the East Preston Neighbourhood Development Plan and Part M of Arun Design Guide.
- 2 It has not been adequately demonstrated that the proposal has no materially adverse overbearing effects on neighbouring dwellings and the proposal would unacceptably increase over looking to adjoining residential dwellings and their gardens in conflict with policy D DM4(c) of Arun Local Plan and the Arun Design Guide.
- 3 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.